

**Minutes
City of Burlington Plan Commission
Police Dept. Courtroom
June 12, 2007 6:30 p.m.**

Acting Chairman Vos called the Plan Commission meeting to order this Tuesday evening at 6:35 p.m. followed by roll call: Commissioners John Thate, Darrel Eisenhardt, Tom Vos, John Lynch Jr., Bob Henney and Town of Burlington Representative Phil Peterson. Acting Chairman Vos retained his right to vote. Mayor Lois and Commissioner Bob Schulte were excused. Also present were City Administrator David Torgler; Alderman Peter Girolamo and Patrick Meehan of Meehan & Company, Inc.

APPROVAL OF MINUTES

Commissioner Thate moved and Commissioner Lynch seconded to approve the minutes of May 8, 2007. All were in favor and the motion carried.

LETTERS AND COMMUNICATIONS

The following communications were presented and accepted at this evening's meeting: Communication 1 regarding Mayor Lois' absence from this evening's meeting; Communication 2 regarding Commissioner Schulte's absence from this evening's meeting and Communication 3 regarding the rezoning request for 700 & 724 South Pine Street being withdrawn from consideration by the Plan Commission.

Citizen Comments – None.

PUBLIC HEARINGS

- A. A public hearing to consider a Conditional Use Application from Schuette-Daniels Funeral Home for property located at 625 Browns Lake Drive for a garage addition and a cremation unit.**

Acting Chairman Vos opened the public hearing 6:37 p.m.

There were no comments.

Commissioner Lynch moved and Commissioner Thate seconded to close the public hearing. All were in favor and the motion carried. The public hearing was closed at 6:38 p.m.

OLD BUSINESS

- 1. Consideration to approve a Conditional Use Application and Site Plan Application from Jeff Way for property located at 1157 Milwaukee Avenue for a use as a car store, subject to Patrick Meehan's May 28, 2007 memo to the Plan Commission.**

Acting Chairman Vos opened this issue for discussion.

Mr. Way was present at the meeting to answer any questions or concerns.

Commissioner Lynch questioned if Mr. Way intended to have car trailers on the premises. Mr. Way stated that the car trailers would not be kept on this property.

Commissioner Thate questioned if a landscape plan would be required for this property. Mr. Meehan stated that due to the fact that Mr. Way is not making any changes to the site, it is "grandfathered" in.

Commissioner Henney questioned if truck caps would be sold at this location as well and if they would be put on some sort of rack to keep them out of the way. Mr. Way confirmed that they would be selling truck caps and they would be put on a rack. Administrator Torgler informed Mr. Way that if the caps are to be sold outside, they would be considered an outdoor storage / sales item and would require a conditional use permit. Mr. Meehan confirmed this and noted that a revised Site Plan would have to be submitted to the Plan Commission for review as well as a Conditional Use Application and a public hearing held prior to any outside storage / sales (besides autos) being done. Mr. Way expressed his understanding of this issue and noted that he would apply for the Conditional Use closer to the fall when he is scheduled to open.

Administrator Torgler informed Mr. Way that the signage and lighting for this site are still not conforming to the current City codes. Mr. Way stated that he already spoke with Zoning Administrator, Patrick Scherrer who rejected the sign as currently submitted. Mr. Scherrer advised Mr. Way to apply for a variance much like Miller Motors did. Mr. Way also noted that he is aware that the lighting is not up to City code as it is and he confirmed that he was working on getting the photometrics for the City to review.

Acting Chairman Vos questioned if the additional land that would be used for parking on the site could be used for the outside storage / sales when Mr. Way makes the application. Both Mr. Meehan and Administrator Torgler noted that this could only be determined if a Conditional Use application and revised Site Plan come back to a future Plan Commission meeting. Mr. Way questioned if the outside sales would affect the amount of parking space requirements. Mr. Meehan stated that he would have to confirm with the code on the requirements, however he noted that the parking could be affected depending on the item and how many there would be displayed. He advised Mr. Way to be very specific on the revised Site Plan and Conditional Use application regarding what items would be sold outside so that he could better determine how they would work on the site.

Mr. Way expressed his dissatisfaction with the City's parking requirements and how difficult they are to understand. Mr. Torgler stated that both he and the City would work with Mr. Way as best they could to make the process as straightforward as possible.

Commissioner Lynch questioned if the stalls that are marked on the Site Plan allowed for a different parking configuration for display. Mr. Meehan stated that the square footage of the site would allow for the correct number of stalls that the code requires. He noted that Mr. Way could use different configurations for display; however he would still have to allow for guest parking and have a fire lane. Mr.

Meehan also confirmed that Mr. Way would not be allowed to exceed the number of cars that are noted on the Site Plan.

There were no further comments.

Commissioner Lynch moved and Commissioner Henney seconded to approve a Conditional Use Application and Site Plan Application from Jeff Way for property located at 1157 Milwaukee Avenue for a use as a car store, subject to the June 4, 2007 Kapur and Associates, Inc. memorandum as well as Patrick Meehan's May 28, 2007 memo to the Plan Commission as follows:

- Under the provisions of Section 315-48(I) and Table 5 of the City Zoning Ordinance, off-street parking requirements for the proposed vehicle repair shop and service uses are four (4) off-street parking spaces per service bay. Based upon the drawings submitted by the applicant, the total number of proposed vehicle service bays is two (2). Under these requirements, the proposed vehicle repair shop and service uses would require a minimum of 8 off-street parking spaces.
- Also under the provisions of Section 315-48(I) and Table 5 of the City Zoning Ordinance, auto sales lots must provide off-street parking at a rate of 2 spaces per 1,000 gross feet of floor area plus 1 space for each 1,500 square feet of outdoor vehicle display space (or about 1 customer space per 8.33 automobiles for sale).
- Based upon the above standards, a total of 25.84 customer/employee spaces would be required on that portion of the subject property to accommodate the 12,920 square-foot building (excluding the two indoor service bay areas which would total about 900 square feet) and another 9.84 spaces are required to accommodate the 14,760 square feet of outdoor vehicle display area.
- Based upon the foregoing analysis, a total of 44 such spaces would need to be provided. *The proposed revised Site Plan submitted to the City appears to meet this requirement.*
- Based upon the requirements of Section 315-48(H) and Table 4 of the City Zoning Ordinance, three (3) off-street parking spaces need to be indicated on a revised Site Plan to serve persons with disabilities. ***While the proposed Site Plan appears to meet the required number of such spaces to be provided, the proposed three (3) spaces must meet the minimum size for persons with disabilities spaces and two (2) of those three spaces must be increased in size to meet the minimum space standards of Section 315-48(H) and Table 4 of the City Zoning Ordinance.***
- Section 315-48(B) requires that no off-street parking space be less than 9 feet in width and 180 square feet in area. ***Although a note on the Site Plan indicates that stalls are to be 9' x 20' in size, several (at least three spaces) of the proposed off-street parking stalls scale (on the Site Plan provided) to only 8' x 20' feet in size. A revised Site Plan must be submitted which indicates all off-street parking areas drawn to be a minimum of 9' x 20' in size meeting the City size requirements.***

- If any new lighting is proposed by the applicant for the proposed use at the subject property, Sections 315-137(25) and 315-26(P) of the City Zoning Ordinance indicate, in part, that a Lighting Plan meeting the following requirements must be submitted and have, at a minimum, the following elements:
 - A catalog page, cut sheet, or photograph of the luminaire including the mounting method, a graphic depiction of the luminaire lamp (or bulb) concealment, and graphic depiction of light cut-off angles.
 - A photometric data test report of the proposed luminaire graphically showing the lighting distribution in all angles vertically and horizontally around the luminaire.
 - A plot plan, drawn to a recognized engineering or architectural scale, indicating the location of the luminaire(s) proposed, mounting and/or installation height in feet, the overall illumination levels (in footcandles) and lighting uniformities on the site, and the illumination levels (in footcandles) at the property boundary lines. This may be accomplished by means of an isolux curve or computer printout projecting the illumination levels. This data has been submitted by the applicant.
 - Exterior lighting in the B-1 District shall be limited to total cut-off type luminaires (with angle greater than 90 degrees). The maximum permitted illumination shall be two (2) footcandles (as measured at the property line) and the maximum permitted luminaire height shall be 28 feet as measured from surrounding grade to the bottom of the luminaire.
- Section 315-26(N) of the City Zoning Ordinance indicates a number of requirements for outdoor storage in the B-1 District. ***The applicant has indicated on the revised Site Plan that there is 'NO OUTDOOR STORAGE.' However, if this should change in the future, the applicant must meet all of the requirements of Section 315-26(M) of the City Zoning Ordinance regarding outdoor storage.***
- Section 315-26(O) of the City Zoning Ordinance indicates the various requirements regarding trash dumpsters and outdoor trash storage. ***All trash dumpsters must meet the various requirements of Section 315-26(O) of the City Zoning Ordinance.***
- Pursuant to the requirements of Section 315-137(C)(4) of the City Zoning Ordinance, the date of revision of the Site Plan must be indicated so as not to be confused with the earlier submitted Site Plan which is also dated April 12, 2007.

- Pursuant to the requirements of Section 315-137(C)(16) of the City Zoning Ordinance, stormwater management facilities (if any) and stormwater calculations (if required by the City Engineer) must be submitted and reviewed and approved by the City Engineer.
- Pursuant to the requirements of Section 315-137(C)(25) of the City Zoning Ordinance, if any new outdoor lighting is proposed, outdoor lighting data must be submitted to the City which indicates the location, type, and illumination level (in footcandles) of all proposed new outdoor lighting.
- Pursuant to the requirements of Section 315-64(D) of the City Zoning Ordinance, on site directional signs cannot exceed three square feet in area. ***If such signs are installed, the requirements of Section 315-64(D) must be met.***
- Pursuant to the requirements of Section 315-71(C) of the City Zoning Ordinance, the maximum total sign area of any new freestanding sign for a parcel such as the subject property in the B-1 District is 150 square feet.
- Pursuant to the requirements of Section 315-71(D) of the City Zoning Ordinance, the maximum total sign area for all wall, fascia, awning/canopy, marquee, and graphic signs for a parcel such as the subject property in the B-1 District is 1.40 square feet proportionally per 1 linear foot of exterior storefront wall width that fronts on a public street; however, no sign for any 1 exterior storefront which fronts upon any public street or no sign for any 1 tenant which fronts upon any public street shall exceed 200 square feet in area. The storefront wall width which faces STH 36 is 124.3 feet and, therefore, a maximum total of 174.02 square feet of wall, fascia, awning/canopy, marquee, and graphic signs would be allowed to be placed on the east-facing elevation of the building.
- Pursuant to the requirements of Section 315-71(E) of the City Zoning Ordinance, the maximum height of a new freestanding sign for a parcel such as the subject property in the B-1 District is 15 feet.
- With respect to the applicant proposing to use the existing freestanding sign "AS IS," Section 315-75 titled "Existing Nonconforming Signs" indicates that a sign loses its legal nonconforming status and must be considered in violation of this chapter if one or more of the following occurs:
 - The sign is structurally altered in any way, except for normal maintenance or repair, which tends to make or makes the sign less in compliance with the requirements of this chapter than it was before the alteration.
 - If, for any reason, the sign is destroyed, damaged, or in disrepair such that the cost to reconstruct or repair the sign equals or exceeds 50% of the sign's actual value as determined by the Zoning Administrator for the City of Burlington.

- The design, logo, or wording of the sign is altered.
 - The sign is determined to be abandoned under the provisions of this chapter.
- Meehan & Company, Inc. assumes that there will be no construction work performed at the subject property for the proposed use. However, it is the understanding of Meehan & Company, Inc. that there are a number of existing structures and appurtenances currently located on the subject property such as light poles, etc. at various locations on the subject property. The applicant indicates on the revised Site Plan (dated April 12, 2007) that the chainlink fence is to be removed [Note: Meehan & Company, Inc. also assumes that this would include any barbed wire fencing as well] due to noncompliance with the City Zoning Ordinance and the change of use to a conditional use. The removal, continued use, or proposed replacement of any existing lighting at the subject property must be indicated on a revised Site Plan in order to determine if there are any conflicts with the City Zoning Ordinance.
- Based upon the materials submitted by the applicant, it appears that there are no physical changes proposed for the existing paving on the subject property. If such changes are anticipated, all such changes must be indicated on a revised Site Plan submitted to the City.
- There is a general note on the plan indicating that the stalls must be 9' x 20'. This is correct. The stalls shown on the plan do not conform to these dimensions; they do not scale to any specific depth or width. The plan must be drawn to an appropriate measurable scale. It may be preferable to show the block distance of the parking areas to determine the amount of spaces it can generate.
- Three (3) handicap-parking stalls are proposed along the southeast side of the building. Accessible parking spaces must be nine (9) feet wide. An accessible stall requires a passenger-loading zone of at least five (5) feet wide. The plan must be revised to show accessibility for all proposed handicap spaces.
- From the submitted plan it appears no additional impervious area or changes to the existing drainage patterns will be created. The existing site drains to the ditch along HWY "36". Ordinance 270-5 of the Burlington Code, Applicability for storm water detention, requires the addition of impervious surface to warrant storm water management practices be put in place. There is no net increase in impervious area; storm water management will not be required.

All were in favor and the motion carried.

NEW BUSINESS

- 1. Consideration to approve a Conditional Use application and Site Plan application from Schuette-Daniels Funeral Home for property located at 625 Browns Lake Drive, subject to Patrick Meehan's May 28, 2007 memo to the Plan Commission.**

Acting Chairman Vos opened this issue for discussion.

There were no comments.

Commissioner Thate moved and Commissioner Lynch seconded to approve a Conditional Use application and Site Plan application from Schuette-Daniels Funeral Home for property located at 625 Browns Lake Drive, subject to Patrick Meehan's May 28, 2007 memo to the Plan Commission as follows:

- That the Plan Commission hold a formal public hearing on the applicant's proposal following the requirements of Section 315-130 of the City Zoning Ordinance regarding "Conditional Use Permits."
- If any new lighting is proposed by the applicant for the proposed use at the subject property, Sections 315-137(25) and 315-26(P) of the City Zoning Ordinance indicate, in part, that a Lighting Plan meeting the following requirements must be submitted and have, at a minimum, the following elements:
 - A catalog page, cut sheet, or photograph of the luminaire including the mounting method, a graphic depiction of the luminaire lamp (or bulb) concealment, and graphic depiction of light cut-off angles.
 - A photometric data test report of the proposed luminaire graphically showing the lighting distribution in all angles vertically and horizontally around the luminaire.
 - A plot plan, drawn to a recognized engineering or architectural scale, indicating the location of the luminaire(s) proposed, mounting and/or installation height in feet, the overall illumination levels (in footcandles) and lighting uniformities on the site, and the illumination levels (in footcandles) at the property boundary lines. This may be accomplished by means of an isolux curve or computer printout projecting the illumination levels. This data has been submitted by the applicant.
 - Exterior lighting in the B-1 District shall be limited to total cut-off type luminaires (with angle greater than 90 degrees). The maximum permitted illumination will be two (2) footcandles (as measured at the property line) and the maximum permitted luminaire height shall be 28 feet as measured from surrounding grade to the bottom of the luminaire.

- Pursuant to the requirements of Section 315-137(C)(16) of the City Zoning Ordinance, stormwater management facilities (if any) and stormwater calculations (if required by the City Engineer) must be submitted and reviewed and approved by the City Engineer.
- Pursuant to the requirements of Section 315-137(C)(25) of the City Zoning Ordinance, if any new outdoor lighting is proposed, outdoor lighting data must be submitted to the City which indicates the location, type, and illumination level (in footcandles) of all proposed new outdoor lighting.
- Based upon the materials submitted by the applicant, it appears that there are only the minor physical changes proposed for the existing paving on the subject property (as noted earlier in this memorandum). If greater and more significant changes are anticipated, all such changes must be indicated on a revised Site Plan submitted to the City.

All were in favor and the motion carried.

2. Consideration to approve a Site Plan application and recommend approval to the Common Council of a Rezone application from the City of Burlington for the Veteran's Memorial Building located at 588 Milwaukee Avenue for use as a banquet and assembly hall, subject to Patrick Meehan's June 5, 2007 memo to the Plan Commission.

Acting Chairman Vos opened this issue for discussion.

Administrator Torgler wanted to remind the Commissioners that this issue involves the Site Plan and rezone applications as well as the Certified Survey Map (CSM).

Commissioner Lynch questioned if the high water marks have been taken into account for the parking area. Tom Stelling, Stelling & Associates Architects, stated that the marks had been taken into account. Commissioner Henney questioned if there would be additional parking for special events. Mr. Stelling stated that there is no additional parking required per the City code; however they are looking into the use of other areas for parking including the City owned lots and various other lots close to the site. Mr. Meehan confirmed that there was no code requirement to have additional parking for special events.

Concerns were raised by the Commission in regard to how the parking could be addressed due to how hard it is to park there. Administrator Torgler informed the Commission that both the Council and the Vets have been discussing this issue and looking into parking alternatives. He noted that something would possibly be written into the sale agreement to provide adequate parking. He also noted that it is being discussed to have the Park Board and the Vets coordinate events to avoid some of the parking conflicts.

There were no further comments.

Commissioner Lynch moved and Commissioner Henney seconded to approve a Site Plan application and recommend approval to the Common Council of a CSM

and Rezone application from the City of Burlington for the Veteran's Memorial Building located at 588 Milwaukee Avenue for use as a banquet and assembly hall, subject to Patrick Meehan's June 5, 2007 memo to the Plan Commission as follows:

- Recommend to the Common Council the rezoning of the subject property into the I-1 Institutional District (excluding any FW Floodway District areas of the subject property).
- Recommend to the Common Council the conditional approval of the proposed Certified Survey Map subject to the following items as set forth in this memorandum and the submission to the City of a revised Certified Survey Map within 90 days of its conditional approval by the Common Council:
- Pursuant to the requirements of Section 236.34(1)(c) and 236.20(3)(j), the area of Lot 1 needs to be indicated on the face of the CSM in square feet and Lot 1 needs to be labeled as "Lot 1" and a revised Certified Survey Map submitted to the City staff.
- Pursuant to the requirements of Section 236.34(1)(c) and 236.20(3)(d), STH 36 also needs to be underscored by a dotted or dashed line and a revised Certified Survey Map submitted to the City staff.
- Pursuant to the requirements of Section 278-39(A)(1), the floodway and any 100-year recurrence interval floodplain must be delineated on Sheet 1 of the proposed Certified Survey Map and a revised Certified Survey Map submitted to the City staff.
- Pursuant to the requirements of Section 278-39(A)(6), all sheets of the proposed Certified Survey Map need to be dated with the same consistent date and a revised Certified Survey Map submitted.
- Pursuant to the requirements of Section 278-39(A)(5), existing and proposed contours be indicated. However, since a general grading plan was submitted as an integral part of the Site Plan, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.
- The proposed plans appear to meet the lot dimensional requirements of the I-1 Institutional District except that the proposed front yard is only 15.9 feet to 16.4 feet from the STH 36 (Milwaukee Avenue) right-of-way line and, therefore, the front yard requirements are not met by the applicant. Therefore, a variance from this requirement from the Zoning Board of Appeals must be applied for and granted.
- Pursuant to the requirements of Section 315-48(E)(1), the proposed off-street parking areas shall be paved with either asphalt or concrete. The proposed Site Plan must be revised to indicate this and a revised Site Plan submitted for City staff review.

- Under the provisions of Section 315-52(H)(10), 315-52(H)(11) Table 8 of the Zoning Ordinance, the following minimum number of landscape materials must be installed per 100 feet of a required 10-foot wide bufferyard (Type1B) along the northeast side of the subject property:

1	canopy/shade tree
1	understory tree
1	evergreen tree
3	shrubs

- The subject property abuts the P-1 District on its northwest side for a distance of 200 feet. Therefore, a bufferyard would only be required for 200 feet. Under the provisions of Table 8, the following minimum number of landscape materials must be installed per 100 feet of a required 25-foot wide bufferyard (Type1E) along the northwest side of the subject property:

1	canopy/shade tree
5	shrubs

- Under the provisions of Section 315-52(E) credit is to be allowed for any existing plant materials which are already located within required landscape bufferyard areas if they meet the aforementioned minimum requirements.
- A Landscape Plan meeting the requirements of Section 315-138 of the City Zoning Ordinance must be submitted for City staff review.
- Sections 315-48(D)(6)(b) and 315-52(H)(12) of the City Zoning Ordinance require that all landscape plant materials planted as either parking lot landscaping or as required bufferyards meet or exceed the minimum plant material size standards set forth in Section 315-48(D)(6)(b) of the City Zoning Ordinance at time of installation. These requirements will need to be met on the forthcoming Landscape Plan which must be submitted to the City indicating plant sizes pursuant to the requirements of Section 315-52(H)(12).
- A catalog page, cut sheet, or photograph of the luminaire including the mounting method, a graphic depiction of the luminaire lamp (or bulb) concealment, and graphic depiction of light cut-off angles.
- A photometric data test report of the proposed luminaire graphically showing the lighting distribution in all angles vertically and horizontally around the luminaire.
- A plot plan, drawn to a recognized engineering or architectural scale, indicating the location of the luminaire(s) proposed, mounting and/or installation height in feet, the overall illumination levels (in footcandles) and lighting uniformities on the site, and the illumination levels (in footcandles) at the property boundary lines. This may be accomplished by means of an isolux curve or computer printout projecting the illumination levels.

- Exterior lighting in the I-1 District shall be limited to total cut-off type luminaires (with angle greater than 90 degrees). The maximum permitted illumination shall be two (2) footcandles (as measured at the property line) and the maximum permitted luminaire height shall be 28 feet as measured from surrounding grade to the bottom of the luminaire.
- Pursuant to the requirements of Section 315-64(D) of the City Zoning Ordinance, on site directional signs cannot exceed three square feet in area. However, no such signage is indicated in the application. If such signs are installed, the requirements of Section 315-64(D) must be met.
- Pursuant to the requirements of Section 315-71(C) of the City Zoning Ordinance, the maximum total sign area of freestanding signs for a parcel such as the subject property in the I-1 District is 100 square feet.
- Pursuant to the requirements of Section 315-71(D) of the City Zoning Ordinance, the maximum total sign area for all wall, fascia, awning/canopy, marquee, and graphic signs for a parcel such as the subject property in the I-1 District is 0.90 square feet proportionally per 1 linear foot of exterior building front wall width that fronts on a public street. The building wall width that fronts on a public street (Milwaukee Avenue) is 120 feet. Based upon this requirement, a total of 108 square feet of wall, fascia, awning/canopy, marquee, and graphic signage is allowed.
- Pursuant to the requirements of Section 315-71(E) of the City Zoning Ordinance, the maximum height of a freestanding sign for a parcel such as the subject property in the I-1 District is 15 feet.
- All stormwater calculations must be submitted for City Engineer review.
- A Landscape Plan is required to meet the provisions of Section 315-138 of the City Zoning Code.
- An outdoor lighting plan and data are required if any changes to any existing outdoor lighting are planned.
- Natural resource features, including the location of the primary environmental corridor and the 100-year recurrence interval floodplain must be graphically delineated on a revised Site Plan and submitted to the City staff for review.
- The applicant being must apply for and be granted a variance to the minimum 25-foot front yard setback requirement of the provisions of the I-1 Institutional District by the City's Zoning Board of Appeals. [Note: This variance is required in order for the applicant to place the proposed covered entry/stoop along the building frontage which faces Milwaukee Avenue (STH 36).]
- It is the understanding of Meehan & Company, Inc., based upon the proposed Certified Survey Map submitted that the subject property consists of two or more separate parcels of land. As such, in order to comply with the various dimensional requirements of the City Zoning Ordinance when the property is developed as a single parcel, the applicant must accomplish a land consolidation pursuant to the definition

of a "Land Consolidation" under Section 315-140 of the City Zoning Ordinance as follows:

"LAND CONSOLIDATION — The combining of two or more separate existing parcels of land or existing lots, or portions thereof, through the act or process of the combination of tax key numbers, lot line adjustment, the exchange of property between abutting property owners, subdivision platting, certified survey map, or condominium platting. [Added 11-19-2002 by Ord. No. 1702(16)]"

- The applicant must provide written proof to the City of Burlington that such a land consolidation has taken place prior to the City's issuance of a Building Permit. In the current instance, this would be a City-approved and recorded (with the County Register of Deeds) Certified Survey Map.

All were in favor and the motion carried.

3. Consideration to approve a Site Plan application from Modern Steel Structures, Inc. for property located at 171 Industrial Drive (Analogix) to expand the existing parking lot, subject to Patrick Meehan's May 28, 2007 memo to the Plan Commission.

Acting Chairman Vos opened this issue for discussion.

There were no comments.

Commissioner Henney moved and Commission Lynch seconded to approve a Site Plan application from Modern Steel Structures, Inc. for property located at 171 Industrial Drive (Analogix) to expand the existing parking lot, subject to Patrick Meehan's May 28, 2007 memo to the Plan Commission as follows:

- It appears that the requirements of Section 315-48(F) of the City Zoning Ordinance regarding concrete curb and gutter have been partially met for the existing island located south of the existing loading dock ramp but have not been met by the applicant for the balance of the proposed new off-street parking lot. A note must be added to the Site Plan indicating where concrete curb and gutter are to be provided at the subject property in compliance with the requirements of Section 315-48(F) of the Zoning Ordinance unless the City Engineer determines that no concrete curb and gutter is needed due to any potential adverse impacts of stormwater drainage upon surrounding properties or other health, safety, and welfare issues.

All were in favor and the motion carried.

4. Review and consideration to extend a Conditional Use Permit (CUP) issued to the Burlington Area School District for property located at 348 Paul Street to allow for an Education Outreach Center, subject to Patrick Scherrer's May 25, 2007 memo to the Plan Commission.

Acting Chairman Vos opened this issue for discussion.

There were no comments.

Commissioner Eisenhardt moved and Lynch seconded to extend a Conditional Use Permit (CUP) issued to the Burlington Area School District for property located at 348 Paul Street to allow for an Education Outreach Center, subject to Patrick Scherrer's May 25, 2007 memo to the Plan Commission.

All were in favor and the motion carried.

5. **Review and consideration to extend a Conditional Use Permit (CUP) issued to Todd Greene for property formerly located at 125 E. State Street and currently located at 101 Edward Street to allow for a sound recording studio, subject to Patrick Scherrer's June 1, 2007 memo to the Plan Commission.**

Acting Chairman Vos opened this issue for discussion.

Administrator Torgler noted that the new Conditional Use Permit should reflect the 101 Edward Street address.

There were no further comments.

Commissioner Lynch moved and Commissioner Henney seconded to extend a Conditional Use Permit (CUP) issued to Todd Greene for property formerly located at 125 E. State Street and currently located at 101 Edward Street to allow for a sound recording studio, subject to Patrick Scherrer's June 1, 2007 memo to the Plan Commission.

All were in favor and the motion carried.

6. **Review and update from Patrick Scherrer regarding the Plan Commission's June 14, 2005 recommendation to the Common Council of a Certified Survey Map (CSM) and rezoning application for Mark Starzyk to rezone property located at 349 W. Market Street from B-1, Neighborhood Business District to M-1, Light Manufacturing District.**

Acting Chairman Vos opened this issue for discussion.

There were no comments.

OTHER MATTERS

None.

ADJOURNMENT

Commissioner Thate moved and Commissioner Henney seconded to adjourn the meeting at 7:13 p.m. All were in favor and the motion carried.

Adjourned at 7:13 p.m.

Recording Secretary – Angela M. Hansen